

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

COMMACK SELF-SERVICE KOSHER  
MEATS, INC., d/b/a COMMACK KOSHER,  
BRIAN YARMEISCH and JEFFREY YARMEISCH,

Plaintiffs

- against -

JUDGMENT  
96-CV-179 (NG)

RABBI SCHULEM RUBIN, as Director of the  
Kosher Law Enforcement Division of THE NEW  
YORK STATE DEPARTMENT OF AGRICULTURE  
AND MARKETS,

Defendant,

- and -

HON. SHELDON SILVER, THE UNION OF  
ORTHODOX JEWISH CONGREGATIONS OF  
AMERICA, ABE ALPER, JON GREENFIELD,  
JACK LEE, RABBI MOSHE PORTNOY, RICHARD  
SCHWARTZ, AGUDATH HARABONIM OF THE  
UNITED STATES AND CANADA, AGUDATH  
ISRAEL OF AMERICA, NATIONAL COUNCIL OF  
YOUNG ISRAEL, RABBINICAL ALLIANCE OF  
AMERICA, RABBINICAL COUNCIL OF AMERICA,  
TORAH UMESORAH NATIONAL SOCIETY OF  
HEBREW DAY SCHOOLS, UNION OF ORTHODOX  
JEWISH CONGREGATIONS OF AMERICA,

Defendants-Intervenors

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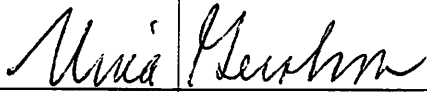
    An Opinion and Order of the Honorable Nina Gershon, United States District Judge,  
having been filed on July 28, 2000, granting the plaintiffs' motion for summary judgment with  
respect to their claims regarding New York Agriculture & Markets Law §§ 201-a, 201-b(1),  
201-c, 201-e (2-a) and (3-c), 201-f, 201-h, and 26-a on the ground that, on their face, they

**FILED**  
IN CLERKS OFFICE  
U.S. DISTRICT COURT E.D. N.Y.  
★ July 31, 2000 ★  
P.M. \_\_\_\_\_  
TIME A.M. \_\_\_\_\_

(C/m /  
(162)

violate the Establishment Clause and are therefore unconstitutional; denying defendants' and intervenors' motions for summary judgment; and, directing the Clerk of Court to enter judgment declaring those statutes unconstitutional and permanently enjoining defendants from enforcing them; it is

ORDERED and ADJUDGED that the plaintiffs are awarded judgment declaring that New York Agriculture & Markets Law §§ 201-a, 201-b(1), 201-c, 201-e (2-a) and (3-c), 201-f, 201-h, and 26-a are unconstitutional on their face in that they violate the Establishment Clause; and it is further ORDERED and ADJUDGED that the defendant is permanently enjoined from enforcing them.



NINA GERSHON  
UNITED STATES DISTRICT JUDGE

ROBERT C. HEINEMANN  
CLERK OF COURT

by



JAMES GIOKAS  
CHIEF DEPUTY CLERK

Dated: Brooklyn, New York  
July 31, 2000